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Erich D. Hemm 47,286
Name of Attorney or Agent Registration No.

Erich D. Hemm
Signature of Attorney or Agent



P&G Case 6586R

1623
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#23

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of :
Michael Kenneth Cerreta, et al. : Confirmation No. 9009
Serial No. 08/914,743 : Group Art Unit: 1623
Filed: August 19, 1997 : Examiner: White, Everett

For A FLOWABLE NONDIGESTIBLE OIL AND PROCESS FOR MAKING

SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, record is being made below in a Form PTO/SB08 of documents which the Patent Office may wish to consider in connection with examination of the above-identified patent application. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case. As provided in §1.97(g), no representation is made or intended that a thorough art search was made. As provided in 37 C.F.R. §1.97(h), this Information Disclosure Statement does not constitute an admission of any kind, and specifically is not an admission that the documents listed on attached form PTO/SB08 are, or are considered to be, material to the patentability of the above-identified patent application, as defined in 37 C.F.R. §1.56(b).

1. ☐ 37 C.F.R. §1.97 (b)(1) - U.S. Direct (within 3-months of filing a regular application or converted provisional)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(1), is being filed within three months of the filing date of a national application. Therefore, no fee is believed to be due.

2. ☐ 37 C.F.R. §1.97 (b)(2) - Via PCT (within 3 mo. of Nat'l Stage Entry)

This information disclosure statement, submitted under 37 C.F.R. §1.97 (b)(2), is being filed within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application. Therefore, no fee is believed to be due.

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3. ☐ 37 C.F.R. §1.97 (b)(3) - (>3 mo. after filing direct or nat'l stage entry, but before 1st O.A.)

This information disclosure statement is being submitted under 37 C.F.R. §1.97 (b)(3). Applicants have not received an Office Action on the merits in the present application. Therefore, no fee is believed to be due. However, in the event that this paper is crossing in the mail with a first Office Action on the merits, authorization is hereby given to charge the required fee pursuant to 37 C.F.R. §1.97(c) and 37 C.F.R. §1.17(p) to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. A duplicate of this letter is enclosed to facilitate charging of the fee, if necessary.

THE FOLLOWING IS ADDITIONAL INFORMATION PERTAINING TO (2) OR (3) MARKED WITH AN (X) ABOVE.

(a) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that both a copy of the International Search Report and copies of the references cited therein are present in the national stage file. In accordance with MPEP §1893.03(g), it is respectfully requested that the Examiner note the consideration of these references in the first Office Action via the PTO-892 form.

(b) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 indicates that a copy of the International Search Report is present in the national stage file. Copies of the references cited in that report are enclosed.

(c) ☐ The Notification of Acceptance of this Application Under 35 U.S.C. §371 does not indicate that a copy of the International Search Report and copies of the references cited are present in the national stage file. Copies of the International Search Report and references are attached.

4. ☐ 37 C.F.R. §1.97 (b)(4) - (before the mailing of a first Office Action after the filing of a request for continued examination under §1.114)

This information disclosure statement, submitted under 37 C.F.R. §1.97(b)(4), is being filed with the Request for Continued Examination (RCE) under 37 C.F.R. §1.114.

5. ☐ Information to be Considered with CPA Filing. This information disclosure statement is being filed with a Continued Prosecution Application (CPA) filed under 37 CFR 1.53(d).

6. ☒ 37 C.F.R. §1.97(c) with fee payment - (use after 1st Office Action & before Final Office Action or Notice of Allowance)

This information disclosure statement is being submitted under 37 C.F.R. §1.97(c). Applicant(s) have not received a final action under 37 C.F.R. §1.113, a notice of allowance under 37 C.F.R. §1.311, or an action that otherwise closes prosecution in the application (e.g., *Ex parte*

Quayle) as of the date of this submission. Applicant(s) elect to pay the fee set forth in 37 C.F.R. §1.17(p). Please charge the fee set forth in 37 C.F.R. §1.17(p) to Deposit Account Number 16-2480 in the name of The Procter & Gamble Company. A duplicate copy of this letter is enclosed to facilitate the charging of the fee.

ADDITIONAL ITEMS TO BE NOTED BY THE EXAMINER:

☐ (1) Copies of the cited references were previously cited by or submitted to the USPTO in prior application Case No. ____, U.S. Patent Application Serial No. __, filed __. Applicants claim priority to said application under 35 U.S.C. §120. Accordingly, copies of those documents are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d).

OR

☒ (2) Copies of the cited documents are enclosed.

OR

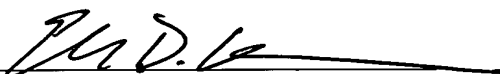
☐ (3) Copies of all said documents, except document No.'s ____, were submitted and considered in parent application U.S. Patent Application Serial No. ____, filed _____. Applicant(s) claim priority to said application under 35 U.S.C. §120. Accordingly, copies of document No.'s ____ are not provided with this Statement, pursuant to 37 C.F.R. §1.98(d). Copies of document No.'s ____ are enclosed. It is respectfully requested that the cited documents be carefully considered by the Examiner and made of record in this case.

☐ (4) Pursuant to 37 C.F.R. §1.98(c), a concise explanation of the relevance of each cited reference that is not in the English language is provided.

☒ (5) Applicants also respectfully request the Examiner to consider and make of record the copending applications listed on the attached page.

☐ Additional information is attached.

Respectfully submitted,

By 
Erich D. Hemm
Attorney for Applicants
Registration No. 47,286
(513) 634-8960

Date: June 25, 2002

Customer No. 27752

COPENDING APPLICATIONS

Entire copies of all co-pending applications (or the portion of the application and claims that caused it to be cited) must be sent with the IDS (see 37 CFR 1.98(a)(2)(iii))

| <u>Atty. Docket No.</u> | <u>Serial Number</u> | <u>Inventor(s)</u> | <u>Filing Date</u> |
|-------------------------|----------------------|--------------------|--------------------|
| 6650M | 09/424,185 | Volker | November 19, 1999 |
| 7163 | 09/424,186 | Volker, et al. | February 11, 2000 |

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FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.



Complete if Known

Application Number 08/914,743
 Confirmation Number 9009
 Filing Date August 19, 1997
 First Named Inventor Michael Kenneth Cerreta
 Examiner Name White, Everett
 Group/Art Unit 1623
 Attorney Docket No. 6586R

TOTAL AMOUNT OF PAYMENT (\$ 180.00

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 16-2480

Deposit Account Name The Procter & Gamble Company

- ☒ Charge Any Additional Fee Required Under status. 37 C.F.R. §§1.16 and 1.17

FEE CALCULATION

1. BASIC FILING FEE - Large Entity

| Code (\$) | Fee Description | Fee Paid |
|-----------|------------------------|----------|
| 101 740 | Utility filing fee | |
| 106 330 | Design filing fee | |
| 108 740 | Reissue filing fee | |
| 114 160 | Provisional filing fee | |

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES - Large Entity

| | Extra Claims | Fee from Below | Fee Paid |
|--------------------|----------------|----------------|----------|
| Total Claims | 0 - 20** = 0 x | 0 = | 0 |
| Independent Claims | 0 - 3** = 0 x | 0 = | 0 |
| Multiple Dependent | | 0 = | 0 |

** or number previously paid, if greater; For Reissues, see below

| Code (\$) | Fee Description |
|-----------|---|
| 103 18 | Claims in excess of 20 |
| 102 84 | Independent claims in excess of 3 |
| 104 280 | Multiple dependent claim, if not paid |
| 109 84 | **Reissue independent claims over original patent |
| 110 18 | **Reissue claims in excess of 20 & over original patent |

SUBTOTAL (2) (\$)

FEE CALCULATION (continued)

3. ADDITIONAL FEES

| Code (\$) | Fee Description | Fee Paid |
|------------|---|-------------------------------------|
| 105 130 | Surcharge-late filing fee or oath | |
| 127 50 | Surcharge-late provisional filing fee or cover sheet | |
| 139 130 | Non-English specification | |
| 147 2,520 | For filing a request for <i>ex parte</i> reexamination | |
| 112 920* | Requesting publication of SIR prior to Examiner's action | |
| 113 1,840* | Requesting publication of SIR after Examiner's action | |
| 115 110 | Extension for reply within 1 st month | |
| 116 400 | Extension for reply within 2 nd month | |
| 117 920 | Extension for reply within 3 rd month | |
| 118 1,440 | Extension for reply within 4 th month | |
| 128 1,960 | Extension for reply within 5 th month | |
| 119 320 | Notice of Appeal | |
| 120 320 | Filing a brief in support of an appeal | |
| 121 280 | Request for oral hearing | |
| 138 1,510 | Petition to institute a public use proceeding | |
| 140 110 | Petition to revive - unavoidable | |
| 141 1,280 | Petition to revive - unintentional | |
| 142 1,280 | Utility issue fee (or reissue) | |
| 143 460 | Design issue fee | |
| 122 130 | Petitions to the Commissioner | |
| 123 50 | Petitions related to provisional applications | |
| 126 180 | Submission of Information Disclosure Statement | <input checked="" type="checkbox"/> |
| 146 740 | Filing a submission after final rejection (37 CFR § 1.129(a)) | |
| 149 740 | For each additional invention to be examined (37 CFR §1.129(b)) | |
| 179 740 | Request for Continued Examination (RCE) | |
| 169 900 | Request for expedited examination of a design application | |
| 091 1280 | Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c) | |
| | Other fee (specify) | |
| | Other fee (specify) | |

* Reduced by Basic Filing Fee Paid SUBTOTAL(3) (\$ [180]

SUBMITTED BY

Name (Print/Type) Erich D. Hemm

Registration No. (Attorney/Agent) 47,286

Complete (if applicable)

Telephone (513) 634-8960

Signature

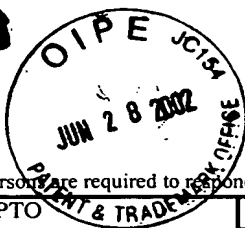
Date June 25, 2002

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Substitute for form 1449A/PTO

COMPLETE IF KNOWN

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

SHEET 1 of 2

| | |
|------------------------|-------------------------|
| Application Number | 08/914,743 |
| Confirmation Number | 9009 |
| Filing Date | August 19, 1997 |
| First Named Inventor | Michael Kenneth Cerreta |
| Group Art Unit | 1623 |
| Examiner Name | E. White |
| Attorney Docket Number | 6586R |

U. S. PATENT DOCUMENTS

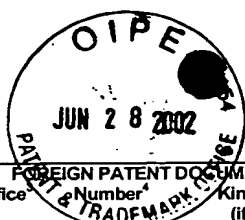
| EXAMINER INITIALS* | Cite No.¹ | U.S. PATENT DOCUMENT Number | Kind Code² (if known) | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear |
|-----------------------|--------------|--------------------------------|--------------------------|--|--|--|
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| EXAMINER INITIALS* | Cite No. ¹ | Office | FOREIGN PATENT DOCUMENT Number ² | Kind Code ³ (if known) | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear | T ⁴ |
|--------------------|-----------------------|--------|---|-----------------------------------|---|--|--|----------------|
| | | EP | 0 322 027 | / | Seiden | Jun. 28, 1989 | | |
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

| EXAMINER INITIALS* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ⁴ |
|--------------------|-----------------------|--|----------------|
| | | J. Amer. Oil Chem. Soc., Vol. 55 (1978), pp. 328-331. | |
| | | HOFFMAN, ROBERT - The Modulation Contrast Microscope: Principles and Performances, Journal of Microscopy, Vol. 110, Pt 3, August 1977, pp. 205-222. | |
| EXAMINER | | DATE CONSIDERED | |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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